

Effective 5/12/2015

10-3b-503 Chair in a metro township included in a municipal services district.

- (1) The chair in a metro township that is included in a municipal services district:
 - (a) is a regular and voting member of the council;
 - (b) is elected by the members of the council from among the council members;
 - (c) is the chair of the council and presides at all council meetings;
 - (d) exercises ceremonial functions for the municipality;
 - (e) may not veto any ordinance, resolution, tax levy passed, or any other action taken by the council;
 - (f) represents the metro township on the board of a municipal services district; and
 - (g) has other powers and duties described in this section and otherwise authorized by law except as modified by ordinance under Subsection 10-3b-504(2).
- (2) Except as provided in Subsection (3), the chair in a metro township that is included in a municipal services district:
 - (a) shall:
 - (i) keep the peace and enforce the laws of the metro township;
 - (ii) ensure that all applicable statutes and metro township ordinances and resolutions are faithfully executed and observed;
 - (iii) if the chair remits a fine or forfeiture under Subsection (2)(g)(ii), report the remittance to the council at the council's next meeting after the remittance;
 - (iv) perform all duties prescribed by statute or metro township ordinance or resolution;
 - (v) report to the council the condition and needs of the metro township;
 - (vi) report to the council any release granted under Subsection (2)(b)(iv); and
 - (b) may:
 - (i) recommend for council consideration any measure that the chair considers to be in the best interests of the municipality;
 - (ii) remit fines and forfeitures;
 - (iii) if necessary, call on residents of the municipality over the age of 21 years to assist in enforcing the laws of the state and ordinances of the municipality;
 - (iv) release a person imprisoned for a violation of a municipal ordinance;
 - (v) with the council's advice and consent appoint a person to fill a municipal office or a vacancy on a commission or committee of the municipality; and
 - (vi) at any reasonable time, examine and inspect the official books, papers, records, or documents of:
 - (A) the municipality; or
 - (B) any officer, employee, or agency of the municipality.
- (3) The powers and duties in Subsection (1) are subject to the council's authority to limit or expand the chair's powers and duties under Subsection 10-3b-504(2).
- (4)
 - (a) If the chair is absent, unable, or refuses to act, the council may elect a member of the council as chair pro tempore, to:
 - (i) preside at a council meeting; and
 - (ii) perform during the chair's absence, disability, or refusal to act, the duties and functions of chair.
 - (b) In accordance with Section 10-3c-203, the county clerk of the county in which the metro township is located shall enter in the minutes of the council meeting the election of a council member as chair under Subsection (1)(b) or chair pro tempore under Subsection (4)(a).

Repealed and Re-enacted by Chapter 352, 2015 General Session